

Remarks

Reconsideration of this application as amended is respectfully requested.

Claims 1-4, 6, 8, 10-13, 15, 16, 19 and 20 stand rejected under 35 U.S.C. §102(e) in view of U.S. Patent Publication No. 2003/0110400 of *Cartmell et al.* ("*Cartmell*").

Claims 7, 9, 14, and 18 stand rejected under 35 U.S.C. §103(a) in view of *Cartmell* and U.S. Patent No. 6,195,698 of *Lillibridge et al.* ("*Lillibridge*").

Claims 1-20 stand rejected under 35 U.S.C. §101.

Claims 1-20 are cancelled.

New claims 21-40 are added.

Applicant submits that new claim 21 is not anticipated by *Cartmell* because *Cartmell* does not disclose a method for detecting an attempt at automated creation of a user account to a computer-related service as claimed in new claim 21. Instead, *Cartmell* discloses a method for combating junk email and other types of unauthorized communications. (*Cartmell*, paragraphs 0003 and 0020). *Cartmell* discloses an email system 103 that provides an email service, a computer-related service, including an email inbox to a recipient 102. (Figure 1 of *Cartmell*). The email system 103 of *Cartmell* includes an authorization system that adds a sender 101 to a list of authorized senders if the sender 101 passes a test designed to detect an automated junk email sender. (Figure 1 and paragraph 0018 of *Cartmell*). In contrast, the method of new claim 21 detects an attempt at automated creation of a user account to a computer-related service.

The examiner has stated that authorizing the sender 101 to send email to the recipient 102 using a list of authorized senders as taught by *Cartmell* is creating a user account. (Page 2, Office Action, 7-25-2006). It is respectfully submitted that *Cartmell* does not teach that if the sender 101 passes a test and gains a listing on the list of authorized senders then the sender 101 also gains a user account to the email system 103. For example, *Cartmell* does not teach that if the sender 101 gains a listing on the list of authorized senders then the sender 101 also gains an email inbox on the email system 103. Instead, *Cartmell* only teaches that if the sender 101 passes a test and gains a listing on the list of authorized senders then the sender 101 is authorized to send email to the email inbox belonging to the recipient 102. (*Cartmell*, Figure 1 and paragraph 0018). It is submitted that a user account belonging to the sender 101 that the sender 101 uses to send email to the email system 103 exists on some email system other than the email system 103.

Applicant further submits that new claim 21 is not anticipated by *Cartmell* because *Cartmell* does not disclose presenting a stimulus and posing a question that is selected exercise a capability of a human being to perform common sense reasoning with respect to the stimulus as claimed in new claim 21. Instead, *Cartmell* discloses presenting a question having an answer that may be obtained by counting words (*Cartmell*, paragraph 0018, lines 20-21) and a question having an answer that may be obtained from a knowledge of clouds (*Cartmell*, paragraph 0018, line 21) and a question having an answer that

may be obtained from a knowledge of U.S. Presidents (*Cartmell*, paragraph 0018, lines 21-22) and a question having an answer that may be obtained from a knowledge of sentence semantics (*Cartmell*, paragraph 0027, line 18) and a question having an answer that may be obtained by recognizing a word contained in a distorted image (*Cartmell*, paragraph 0027, lines 18-19) and a question having an answer that may be obtained by recognizing a word presented audibly (*Cartmell*, paragraph 0027, line 20). It is submitted that all of these questions in *Cartmell* are based on knowledge of facts or are based on word recognition or object recognition rather than on a capability of a human being to perform common sense reasoning with respect to a stimulus as claimed in new claim 21.

The examiner has stated that a question that asks a user to identify an object, a flower, as shown in Figure 5 of *Cartmell* involves the common sense reasoning capability of a human being. (Page 2, Office Action, 7-25-2006). Applicant submits that it is one thing to identify a flower but another thing altogether to recognize a flower and then answer the question "Can this walk?" It is submitted that identifying a flower as taught by *Cartmell* involves object recognition whereas answering the question "Can this walk?" requires common sense reasoning with respect to the recognized flower, i.e. the common sense reasoning capability of a human being goes beyond mere object recognition.

The examiner has stated that a question that asks a user to identify a semantic error in a sentence as taught by *Cartmell* involves the common sense reasoning capability of a

human being. (Page 2, Office Action, 7-25-2006). Applicant submits that identifying a semantic error in a sentence does not involve the common sense reasoning capability of a human being as evidenced by the fact that commercially available word processing programs can identify a semantic error in a sentence.

The examiner has stated that a question that asks a user to identify a distorted word or a word presented audibly as taught by *Cartmell* involves the common sense reasoning capability of a human being. (Pages 2-3, Office Action, 7-25-2006). Applicant submits that identifying a distorted word or a word presented audibly does not involve the common sense reasoning capability of a human being as evidenced by the fact that commercially available optical character recognition and speech recognition programs can identify distorted words and words presented audibly.

Given that new claims 22-30 depend from new claim 21, it is submitted that new claims 22-30 are not anticipated by *Cartmell*.

It is also submitted that new claims 21-30 are not obvious in view of *Cartmell* and *Lillibridge* because *Cartmell* and *Lillibridge* do not disclose or suggest a method for detecting an attempt at automated creation of a user account to a computer-related service by presenting a stimulus and posing a question that is selected exercise a capability of a human being to perform common sense reasoning with respect to the stimulus as claimed in new claim 21. Applicant has shown that *Cartmell* does not disclose or suggest the limitations of new

claim 21. *Lillibridge* discloses random strings that are visually or audibly distorted (*Lillibridge*, Abstract) rather than a method for detecting an attempt at automated creation of a user account to a computer-related service by presenting a stimulus and posing a question that is selected exercise a capability of a human being to perform common sense reasoning with respect to the stimulus as claimed in new claim 21.

With respect to new claims 24 and 34 which further include the limitation of measuring a response time to a question, the examiner has stated that *Lillibridge* measures the time taken by a subject of a test to provide an answer to a question. (Page 6, Office Action, 7-25-2006). It is respectfully submitted that *Lillibridge* teaches setting "a time limit" (*Lillibridge*, col. 4, line 58) for an answer rather than measuring a response time to a question as claimed in new claims 24 and 34.

It is also submitted that new claims 31-40 are not anticipated or obvious in view of *Cartmell* and *Lillibridge*. New claims 31-40 include limitations similar to the limitations of new claims 21-30. Therefore, the remarks stated above with respect to new claims 21-30 also apply to new claims 31-40.

Applicant submits that new claims 21-30 are directed to statutory subject matter under 35 U.S.C. §101 because a method for detecting an attempt at automated creation of a user account to a computer-related service as claimed in new claims 21-40 is a concrete, tangible, and useful result for the reasons set forth on pages 1-2 of applicant's specification.

Applicant also submits that new claims 31-40 are directed to statutory subject matter under 35 U.S.C. §101 because new

claims 31-40 clearly recite computer-executable instructions.

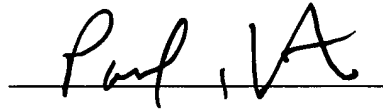
Applicant further submits that new claims 21-40 are directed to statutory subject matter under 35 U.S.C. §101 because new claims 21-40 do not claim a human being or any capability or quality of a human being. Instead, new claims 21-40 claim a method for detecting an attempt at automated creation of a user account to a computer-related service by obtaining an answer to a question and comparing the answer to a correct answer that would be provided by a human being.

It is respectfully submitted that in view of the amendments and arguments set forth above, the applicable objections and rejections have been overcome.

Respectfully submitted,

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By: _____



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